

IRO Certificate #4599

NOTICE OF INDEPENDENT REVIEW DECISION

March 6, 2003

Re: IRO Case # M2-03-0615

Texas Worker's Compensation Commission:

___ has been certified as an independent review organization (IRO) and has been authorized to perform independent reviews of medical necessity for the Texas Worker's Compensation Commission (TWCC). Texas HB. 2600, Rule133.308 effective January 1, 2002, allows a claimant or provider who has received an adverse medical necessity determination from a carrier's internal process, to request an independent review by an IRO.

In accordance with the requirement that TWCC assign cases to certified IROs, TWCC assigned this case to ___ for an independent review. ___ has performed an independent review of the proposed care to determine if the adverse determination was appropriate. For that purpose, ___ received relevant medical records, any documents obtained from parties in making the adverse determination, and any other documents and/or written information submitted in support of the appeal.

The case was reviewed by a physician who is Board Certified in Neurological Surgery. He or she has signed a certification statement attesting that no known conflicts of interest exist between him or her and any of the treating physicians or providers, or any of the physicians or providers who reviewed the case for a determination prior to referral to ___ for independent review. In addition, the certification statement further attests that the review was performed without bias for or against the carrier, medical provider, or any other party to this case.

The determination of the ___ reviewer who reviewed this case, based on the medical records provided, is as follows:

History

The patient is a 36-year-old female who in ___ was having discomfort in her neck and right shoulder with numbness in her fingers, which was determined to be secondary to her work using a telephone. Carpal tunnel syndrome on the right side was diagnosed in 1999, and an MRI in 1999 showed bulging of the right C5-6 disk. MRI evaluation in November, 2002 again showed the bulging disk without foraminal stenosis. An MRI on 1/16/03 again showed the C5-6 and C6-7 disks to be the main potential source of the patient's problem, with very questionable difficulty at the C4-5 level, this level being described as showing minimal degenerative joint disease changes.

Requested Service

Discogram C4-5, C5-6, C6-7

Decision

I agree with the carrier's decision to deny the requested discogram.

Rationale

A discogram may cause more therapeutic decision difficulty, as such a procedure frequently gives information suggesting pain generation at levels that are not suspected on other tests, and the areas that are suspected are negative. There is enough evidence showing that a C5-6, C6-7 anterior cervical discectomy and fusion could possibly be a means of giving this patient some relief. Cervical discography at multiple levels in all probability would not be helpful.

This medical necessity decision by an Independent Review Organization is deemed to be a Commission decision and order.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of the decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision, a request for a hearing must be in writing, and it must be received by the TWCC Chief Clerk of Proceedings within **10** (ten) days of your receipt of this decision (28 Tex. Admin. Code 142.5(c)).

If disputing other prospective medical necessity (preauthorization) decisions, a request for a hearing must be in writing, and it must be received by the TWCC Chief Clerk of Proceedings within **20** (twenty) days of your receipt of this decision (28 Tex. Admin. Code 148.3).

This decision is deemed received by you 5 (five) days after it was mailed (28 Tex. Admin. Code 102.4(h) or 102.5(d)). A request for a hearing should be sent to:
Chief Clerk of Proceedings, Texas Worker's Compensation Commission, P O Box 40669,
Austin, TX 78704-0012. **A copy of this decision should be attached to the request.**

The party appealing this decision shall deliver a copy of its written request for a hearing to all other parties involved in the dispute (Commission Rule 133.308(t)(2)).

Sincerely,

In accordance with Commission Rule 102.4 (b), I hereby certify that a copy of this Independent Review Organization (IRO) decision was sent to the carrier and the requestor or claimant via facsimile or US Postal Service from the office of the IRO on this 12th day of March 2003.